

TITLE II - COMMUNITY PROTECTION

DIVISION 2 - ENFORCEMENT: ALL-TERRAIN VEHICLES AND SNOWMOBILES

CHAPTER 80
REGULATIONS**80.01 Purpose****80.02 Definitions****80.03 General Regulations****80.04 Places of Operation****80.05 Negligence****80.06 Accident Reports****80.07 Hours of Operation****80.08 Thaw Ban**

80.01 PURPOSE. The purpose of this chapter is to regulate the operation of all-terrain vehicles and snowmobiles within the City.

80.02 DEFINITIONS. For use in this chapter the following terms are defined:

1. "All-Terrain Vehicle" or "ATV" means a motorized flotation-tire vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, that is limited in engine displacement to less than eight hundred (800) cubic centimeters and in total dry weight to less than seven hundred fifty (750) pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.

(Code of Iowa, Sec. 321G.1[17])

2. "Snowmobile" means a motorized vehicle weighing less than one thousand (1,000) pounds which uses sled-type runners or skis, endless belt-type tread, or any combination of runners, skis or tread, and is designed for travel on snow or ice.

(Code of Iowa, Sec. 321G.1[2])

80.03 GENERAL REGULATIONS. No person shall operate an ATV or snowmobile within the City in violation of the provisions of Chapter 321G of the Code of Iowa or rules established by the Natural Resource Commission of the Department of Natural Resources governing their registration, numbering, equipment and manner of operation.

(Code of Iowa, Sec. 321G)

80.04 PLACES OF OPERATION. The operators of ATV's and snowmobiles shall comply with the following restrictions as to where ATV's and snowmobiles may be operated within the City:

1. Streets. ATV's and snowmobiles shall be operated only upon streets which have not been plowed during the snow season and on such other streets as may be designated by resolution of the Council.

(Code of Iowa, Sec. 321G.9[4a])

2. Exceptions. ATV's and snowmobiles may be operated on prohibited streets only under the following circumstances:

- A. Emergencies. ATV's and snowmobiles may be operated on any street in an emergency during the period of time when and at locations where snow upon the roadway renders travel by conventional motor vehicles impractical.

(Code of Iowa, Sec. 321G.9[4c])

B. Direct Crossing. ATV's and snowmobiles may make a direct crossing of a prohibited street provided:

- 1) The crossing is made at an angle of approximately ninety degrees (90°) to the direction of the street and at a place where no obstruction prevents a quick and safe crossing;
- 2) The ATV or snowmobile is brought to a complete stop before crossing the street;
- 3) The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard; and
- 4) In crossing a divided street, the crossing is made only at an intersection of such street with another street.

(Code of Iowa, Sec. 321G.9[2])

3. Railroad Right-of-Way. ATV's and snowmobiles shall not be operated on an operating railroad right-of-way. An ATV or snowmobile may be driven directly across a railroad right-of-way only at an established crossing and notwithstanding any other provisions of law may, if necessary, use the improved portion of the established crossing after yielding to all oncoming traffic.

(Code of Iowa, Sec. 321G.13[8])

4. Trails. ATV's shall not be operated on snowmobile trails and snowmobiles shall not be operated on all-terrain vehicle trails except where so designated.

(Code of Iowa, Sec. 321G.9[4f&g])

5. Parks and Other City Land. ATV's and snowmobiles shall not be operated in any park, playground or upon any other City-owned property without the express permission of the City. A snowmobile shall not be operated on any City land without a snow cover of at least one-tenth of one inch.

6. Sidewalk or Parking. ATV's and snowmobiles shall not be operated upon the public sidewalk or that portion of the street located between the curb line and the sidewalk or property line commonly referred to as the "parking" except for purposes of crossing the same to a public street upon which operation is authorized by this chapter.

80.05 NEGLIGENCE. The owner and operator of an ATV or snowmobile is liable for any injury or damage occasioned by the negligent operation of the ATV or snowmobile

(Code of Iowa, Sec. 321G.18)

80.06 ACCIDENT REPORTS. Whenever an ATV or snowmobile is involved in an accident resulting in injury or death to anyone or property damage amounting to two hundred dollars (\$200.00) or more, either the operator or someone acting for the operator shall immediately notify a law enforcement officer and shall file an accident report within forty-eight (48) hours, in accordance with State law.

(Code of Iowa, Sec. 321G.10)

80.07 HOURS OF OPERATION. No snowmobile shall be operated in the City between the hours of twelve o'clock (12:00) midnight and seven o'clock (7:00) a.m. except for emergency situations or for loading and unloading from a transport trailer.

80.08 THAW BAN. Snowmobiles shall not be operated during a publicized thaw ban in areas posted to prohibit such operation.
